

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS**

FEDERAL TRADE COMMISSION, and

STATE OF OHIO EX REL. ATTORNEY
GENERAL DAVE YOST,

Plaintiff,

v.

EDUCARE CENTRE SERVICES, INC., *et al.*,

Defendants.

Case No. 3:19-cv-00196-KC

**OPPOSED MOTION TO WITHDRAW
AS COUNSEL FOR CHARLES
KHAROUF**

COME NOW Mitchell N. Roth, Genevieve C. Bradley, and Gregory M. Caffas from the law firm Roth Jackson and Aldo R. Lopez and Daniel H. Hernandez and Aldo Lopez from the law firm Ray, Peña McChristian, P.C. (collectively “Counsel”), Counsel for Defendant Charles Kharouf (“Kharouf”) and hereby move this Court for leave to withdraw as Counsel for Kharouf and in support thereof state as follows:

1. Kharouf retained Counsel to represent him in this lawsuit in which Plaintiffs sue him for alleged violations of various laws and regulations enforced by the Federal Trade Commission and the Attorney General of the State of Ohio.

2. Without breaching Counsel’s confidentiality obligations to Kharouf, Kharouf instructed Counsel to cease performing additional services on his behalf and to withdraw from this case.

3. Texas Disciplinary Rule 1.15(a)(3) requires an attorney to withdraw from the representation of a client if “the lawyer is discharged, with or without good cause” subject to

paragraph (c) of this Rule.¹ In light of this Rule and due to the fact that Kharouf instructed Counsel to cease performing additional services on his behalf, Counsel must withdraw from the representation of him.

4. At this time, a successor attorney for Kharouf is not known. As required by Local Rule AT-3, Counsel provides the following address and telephone number that have been provided by Kharouf to be used for future communication until such time as Kharouf retains substitute counsel:

Charles Kharouf
201-427 Étienne-Lavoie, Laval, Quebec H7XOB9, Canada.
(514)-726-1777

5. Kharouf consents to the relief requested as evidenced by his signature:



CHARLES KHAROUF

WHEREFORE, for the above-referenced reasons and for good cause shown, undersigned counsel respectfully requests that this Court grant their Motion to Withdraw as Counsel, strike their respective appearances, and for such further relief as this Court deems necessary.

¹ “When ordered to do so by a tribunal, a lawyer shall continue representation notwithstanding good cause for terminating the representation.” Tex. R. Prof Conduct 1.15(c).

Dated: January 14, 2020

Respectfully submitted,

CHARLES KHAROUF

By Counsel,

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/s/ Mitchell N. Roth
Mitchell N. Roth (VBN 35863)
Motion for Pro Hac Vice Admission Pending
Genevieve C. Bradley (VBN 83325)
Pro Hac Vice Admission
ROTH JACKSON
8200 Greensboro Drive, Suite 820
McLean, Virginia 22102
Telephone: 703-485-3536
Facsimile: 703-485-3525

Counsel for Defendant Charles Kharouf

CERTIFICATE OF CONFERRAL

Undersigned Counsel certifies that Mitchell N. Roth conferred via e-mail with Christopher E. Brown and J. Ronald Brooke, Jr., counsel for the FTC, and with Erin Leahy, counsel for the State of Ohio on January 9, 2020 regarding the requested relief and Plaintiffs stated that they oppose the requested relief.

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of January 2020, I caused a copy of the foregoing document to be served via ECF on all parties entitled to be receive notice.

/s/ Mitchell N. Roth
Mitchell N. Roth